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CRIM NO. 99-185(ccc)

TITLE 21, U.S.C. SECTION 841,
(a)(1) SECTION 846;
TITLE 18, U.S.C.
SECTION 921(a)(3), 924(c)(1),
SECTION 2, SECTION 1114 AND
111.

(THREE COUNTS)

COUNT I

Beginning on a date unknown, but not later than January 1, 1993, until on or about the date of the return of this indictment, in the District of Puerto Rico, and elsewhere and within the jurisdiction of this Court,

a/k/a "Berto El Indio"

a/k/a "Pai",

[2] JERRY MARTINEZ-MARTI.

a/k/a "Pecosa"

a/k/a "Jerry Pecos",

[3] FRANCISCO IRIZARRY-MENDOZA,

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a/k/a "Paquitin,"
[4] CARLOS A. PARRILLA-ELICIER,
a/k/a "Carlos Loiza,"
[5] VICTOR MEDERO-RUIZ,
a/k/a "Calva,"
a/k/a "Cabeza Loca,"
[6] PEDRO L. BONILLA MERENGO *3/17*
a/k/a Pedrito
[7] ALEXIS MALDONADO-MARQUEZ,
a/k/a "Alex Baba,"

and defendants herein, did knowingly, willfully, intentionally, and unlawfully, combine, conspire, and agree with each other and with divers other persons to the Grand Jury known and unknown, including but not limited to; Richard L. Pérez-Colón; Andres Villalongo-Ortega; Francisco Garcia-Sierra; Alexander Matos Matos; Rubén Ramos-Espiada; David López-Pinero; Alberto Parrilla-Elicier; Kevin Márquez; John Doe, a/k/a "Albert"; Evyan Villafañe-Faust; Everaldo Burgos Rodríguez; Miguel A. Garcia-Perez; Javier Nieves-Alvarez; Ramonita Espiada-Padilla; Miguel Zabala, Abelardo Zabala; Alexis Villafañe and Jaime Rivera-Padilla, persons not included in this indictment, to commit the following offense against the United States, to wit: knowingly and intentionally distribute multi-kilogram quantities of controlled substances, that is, in excess of five (5) kilograms of cocaine and an amount of not less than fifty (50) grams of cocaine base, both Schedule II Narcotic Drug Controlled Substances, and multi-kilogram quantities of marijuana, a Schedule I Controlled Substance, in violation of Title 21 United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

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OVERT ACTS

In furtherance of the conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed, among others, the following overt acts in the District of Puerto Rico:

(1) Counts Two and Three are incorporated herein by reference as overt acts of this conspiracy as if alleged herein.

(2) At divers^e times^{3A} between the times alleged as commencement and termination of this Conspiracy, the defendants and other co-conspirators including the persons described above as not included in this indictment, and others to the grand jury known and unknown, did possess with intent to distribute and did distribute controlled substances, to wit: cocaine, cocaine base and marijuana which was sold to customers at a drug point located at the Galateo Public Housing Project, Rio Grande, Puerto Rico, for substantial financial gain.

(3) At divers^e times^{3A} between the times alleged, the defendants and co-conspirators and others including but not limited to, Richard L. Pérez-Colón, Andres Villalongo-Ortega, Francisco Garcia-Sierra, Alexander Matos-Matos, Ruben Ramos-Espiada, David López-Pinero, Alberto Parrilla-Elicier, Kevin Márquez, John Doe, a/k/a "Albert," Evyan Villafañe-Faust, and Everaldo Burgos Rodríguez, Miguel A. Garcia-Pérez, Javier Nieves-Alvarez, Ramonita Espiada-Padilla, Miguel Zabala, Abelardo Zabala, Alexis Villafañe, and Jaime Rivera-Padilla, and others to the grand jury known and unknown, possessed and brandished firearms, as defined in Title 18, United States Code, Section 921(a)(3), in furtherance of the drug trafficking conspiracy.

(4) At divers^e times^{3A} between the times alleged, the defendants and co-conspirators and others to the grand jury known and unknown, stored and hid from view controlled substances, to wit:

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cocaine, cocaine base, and marijuana, and/or proceeds from the sales thereof, and/or firearms as that term is defined in Title 18 United States Code, Section 921(a)(3), in order to facilitate the successful screening of these items from those outside of the conspiracy. The concealment of these items, therefore, prevented their discovery and simultaneously provided easy access to the narcotics and the weapons.

(5) At divers^e times between the times alleged, the defendants and co-conspirators and others to the grand jury known and unknown, surveilled and controlled access to and movement through the Galateo Housing Project, Rio Grande, Puerto Rico, in order to facilitate the possession with intent to distribute and distribution of controlled substances, to wit: cocaine, crack cocaine, and marijuana, within the Galateo Housing Project.

(6) At all times material to their conspiracy, co-conspirator defendant Norberto Morales-Rivera, also known as "Berto El Indio," also known as "Pai," also known as "Coby Brien," was the first in command, and did lead, organize, control and supervise the sales of controlled substances at the drug point located at Galateo Housing Project, Rio Grande, Puerto Rico. Additionally, co-conspirator defendants Jerry Martínez-Martí, also known as "Jerry Pecos," also known as "Pecosa," and Francisco Irizarry-Mendoza, a/k/a "Paquitin," assisted with the narcotics sales administration, and with the supervision of the narcotics sales operations and collection of funds, and generally acted as the seconds in command.

(7) At divers^e times between the times alleged, defendants and co-conspirators, and others to the Grand Jury known and unknown, acted as enforcers of the organization and possessed firearms, as defined in Title 18, U.S.C., Section 921(a)(3), using them in order to provide protection for the drug operations of the conspiracy from rival gangs, obstruct any possible intervention by law

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enforcement officers, provide for the intimidation of drug clients, and further intimidate law abiding citizens in the vicinity of the drug point into coerced acquiescence.

(8) At divers^e times between the times alleged, co-conspirator defendant ALEX MALDONADO MARQUEZ a/k/a "Alex Baba" sold cocaine at the drug point located at the Galateo Housing Project. 317

(9) At divers times between the times alleged, co-conspirator defendant CARLOS PARRILLA, a/k/a "Carlos Loiza," sold marijuana and crack cocaine at the drug point located at the Galateo Housing Project.

(10) On or about June 3, 1999, co-conspirator defendant Pedro L. Bonilla Marengo, a/k/a "Pedrito," aided and abetted with other co-conspirators to the Grand Jury unknown, assaulted with a deadly weapon FBI Special Agent Juan Miranda, a person designated under 18 U.S.C. section 1114 as an officer of an agency of the United States Government, while said person was engaged in the performance of official duties at the Galateo Housing Project, Río Grande, Puerto Rico.

(11) On or about December 17, 1998, co-conspirator FRANCISCO GARCIA-SIERRA, not included in this indictment, received via the U.S. Mail an express mail delivery of an Intratec sub-machine gun, model AB-10, serial number A007181.

COUNT II

Beginning on a date unknown, but not later than January 1, 1993, until on or about the date of this indictment, in the District of Puerto Rico, and within the jurisdiction of this Court,

[1] NORBERTO MORALES-RIVERA
a/k/a "Berto El Indio"

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a/k/a "Pai",
[2] JERRY MARTINEZ-MARTI,
a/k/a "Pecosa"
a/k/a "Jerry Pecos",
[3] FRANCISCO IRIZARRY-MENDOZA,
a/k/a "Paquitin,"
[4] CARLOS A. PARRILLA-ELICIER,
a/k/a "Carlos Loiza,"
[5] VICTOR MEDERO-RUIZ,
a/k/a "Calva,"
a/k/a "Cabeza Loca,"
[6] PEDRO L. BONILLA MARENGO
a/k/a "Pedrito,"
[7] ALEXIS MALDONADO-MARQUEZ,
a/k/a "Alex Baba,"

the defendants herein, aiding and abetting each other, and with divers other persons to the Grand Jury know and unknown, including but not limited to: Richard L. Pérez-Colón; Andres Villalongo-Ortega; Francisco Garcia-Sierra; Alexander Matos- Matos; Rubén Ramos-Espiada; David López-Pinero; Alberto Parrilla-Elicier; Kevin Márquez; John Doe, a/k/a "Albert"; Evyan Villafañe-Faust; Everaldo Burgos Rodríguez; Miguel A. Garcia-Perez; Javier Nieves-Alvarez; Ramonita Espiada-Padilla; Miguel Zabala, Abelardo Zabala; Alexis Villafañe and Jaime Rivera-Padilla and others known and unknown to the Grand Jury, did knowingly, willfully, intentionally, and unlawfully, possess firearms, as this term is defined in Title 18 United States Code, Section 921(a)(3), in furtherance of a drug trafficking crime, to wit: possession with intent to distribute and the distribution of controlled substances, in violation of Title 21 United States Code Section 841, crimes for which they may be prosecuted in a court of the United States.

All in violation of Title 18 United States Code Sections 924(c)(1) and 2.

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COUNT III

On or about June 3, 1999, in the District of Puerto Rico, and within the jurisdiction of this Court,


[6] PEDRO L. BONILLA MARENGO,
a/k/a "Pedrito,"

the defendant herein, did, using a deadly weapon, forcibly assault Federal Bureau Of Investigation Special Agent Juan Miranda, a person designated under 18 U.S.C. Section 1114 as an officer of an agency of the United States Government, while said person was engaged in the performance of official duties.


All in violation of 18 United States Code, Section 111.

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GUILLERMO GIL
United States Attorney


Miguel A. Pereira
Assistant U.S. Attorney
Deputy Chief, Criminal Division
Dated: 6-25-99

FOREPERSON


Ruth Vernet
Assistant U.S. Attorney
Dated: 6/25/99